

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PAUL M. CONTI, M.D.,

Plaintiff,

-vs-

JOHN DOE,

Defendant.

Case No. 17-CV-9268

Judge Caproni

Magistrate Judge Lehrburger

**OBJECTIONS OF NON-PARTY WITNESSES JAMES AND JANE DOE TO
PLAINTIFF'S SEPTEMBER 16, 2019 HEARING EXHIBITS**

Pursuant to Magistrate Judge Lehrburger's Individual Rule of Practice V.B.14, Non-Party Witnesses James and Jane Doe hereby submit the following list of objections to Plaintiff's September 16, 2019 Hearing Exhibits. The parties mutually exchanged exhibits and witness lists on September 12, 2019.

<u>Plaintiff's Exhibit No.</u>	<u>Description</u>	<u>Basis for Objection</u>
11	A collection of emails between John Doe and others sent between June 2017 and January 2018.	Violates Rules 403, 802 and 901. These communications are irrelevant and several communications contain hearsay and lack foundation.

<u>Plaintiff's Exhibit No.</u>	<u>Description</u>	<u>Basis for Objection</u>
17	Various treatment records for John Doe.	<p>PC 587 violates Federal Rules of Evidence 403 and 802. It is irrelevant and contains inadmissible hearsay.</p> <p>PC 595 through PC 601 violate Rules 403, 802 and 901. These are records from or relating to a third-party treatment provider. They are irrelevant, contain hearsay, and lack foundation.</p> <p>PC 625 through PC 644 violate Rules 403, 802 and 901. These are records from a third-party treatment provider. They are irrelevant, contain hearsay, and lack foundation.</p> <p>PC 647, PC 648-649, PC 653-654, PC 656, PC 664-665, PC 667, PC 672-673, PC 674-675, PC 678-684, PC 686-688, PC 690-691, PC 697-698, PC 701-713, PC 716-728, PC 729-741, PC 743-751, PC 752-724 and PC 778 violate Rule 403. They are irrelevant.</p>

Respectfully submitted,

/s/ Steven W. Tigges

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Attorneys for Interested Parties/Non-Party

Witnesses James Doe and Jane Doe

CERTIFICATE OF SERVICE

A copy of the foregoing was filed electronically this 13th day of September, 2019. Notice of this filing and a copy of the same will be sent to all parties by operation of the Court's electronic filing system.

/s/ Steven W. Tigges
Steven W. Tigges (0019288)

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